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Report of the International Atomic Energy Agency

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Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency for the year 2000,[1]

Noting the statement of the Director General of the International Atomic Energy Agency,[2] in which he provided additional information on the main developments in the activities of the Agency during 2001,

Recognizing the importance of the work of the Agency in promoting the further application of nuclear energy for peaceful purposes as envisaged in the statute of the Agency and in accordance with the inalienable right of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[3] and other relevant internationally legally binding agreements that have concluded relevant safeguards agreements with the Agency to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II and other relevant articles of the Treaty, and with the objectives and purposes thereof,

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[1] International Atomic Energy Agency, *The Annual Report for 2000* (Austria, July 2001) (GC(45)/4); transmitted to the members of the General Assembly by a note by the Secretary-General (A/56/313).

[2] See *Official Records of the General Assembly, Fifty-sixth Session, Plenary Meetings*, 30th meeting (A/56/PV.30).

[3] United Nations, *Treaty Series*, vol. 729, No. 10485.

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Conscious of the importance of the safeguards system of the Agency and of the importance of the work of the Agency in the implementation of the safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and other international treaties, conventions and agreements designed to achieve similar objectives, as well as in ensuring, as far as it is able, that the assistance provided by the Agency or at its request or under it supervision or control is not used in such a way as to further any military purpose, as stated in article II of its statute,

Reaffirming that the Agency is the competent authority responsible for verifying and assuring, in accordance with the statute and the safeguards system of the Agency, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, and also reaffirming that nothing should be done to undermine the authority of the Agency in this regard and that States parties that have concerns regarding non-compliance with the safeguards agreement of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate,

Stressing the need for the highest standards of safety in the design and operation of nuclear installations and in peaceful nuclear activities so as to minimize risks to life, health and the environment, and recognizing that a good safety record relies on good technology, good regulatory practices and well-qualified and trained staff, as well as international cooperation,

Noting that a demonstrated global record of safety is a key element for the peaceful uses of nuclear energy and that continuous efforts are necessary to ensure that the human and technical elements of safety are maintained at the optimal level, and noting also that, although safety is a national responsibility, international cooperation on safety-related matters is indispensable,

Considering that an expansion of technical cooperation activities relating to the peaceful uses of nuclear energy will contribute to the well-being of the peoples of the world, recognizing the special needs of the developing countries for technical assistance from the Agency and the importance of funding in order to benefit effectively from the transfer and application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development, and desiring that the resources of the Agency for technical cooperation activities be assured, predictable and sufficient to meet the objectives mandated in article II of its statute,

Conscious that the work done by the Agency in the field of nuclear sciences and applications in the non-power sector contributes to sustainable development, especially with programmes aimed at enhancing agricultural productivity and food security, improving human health, increasing the availability of drinking water supplies and protecting the terrestrial and marine environment,

Recognizing the importance of the work of the Agency on nuclear power, the fuel cycle and nuclear science, nuclear techniques for development and environmental protection and nuclear safety and protection against radiation, including its work directed towards assisting developing countries in all these fields,

Welcoming the convening of the fourth Scientific Forum, on "Serving human needs: nuclear technology for sustainable development", during the forty-fifth regular session of the General Conference of the Agency,

Taking note of the report of the Director General to the General Conference of the International Atomic Energy Agency[4] on the implementation of Security Council resolutions relating to Iraq, of his reports to the Security Council of 11 October[5] and 10 December 2000,[6] of 9 January,[7] 12 February,[8] 6 April[9] and 5 October 2001,[10] and of resolution GC(45)/RES/17 of 21 September 2001 of the General Conference,[11]

Taking note also of resolution GC(45)/RES/16 in connection with the implementation of the Agreement between the Government of the Democratic People's Republic of Korea and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons,[12] the statements by the President of the Security Council of 31 March,[13] 30 May[14] and 4 November 1994[15] and the authorization of the Board of Governors, on 11 November 1994, to the Director General, to carry out all the tasks requested of the Agency in the statement by the President of the Security Council of 4 November 1994, and noting recent political developments in north-east Asia and expressing the hope that they will open the way to progress towards full implementation of the relevant agreements,

Taking note further of resolutions GC(45)/RES/10A on measures to strengthen international cooperation in nuclear, radiation and waste safety, GC(45)/RES/10B on transport safety, GC(45)/RES/10C on education and training, GC(45)/RES/11 on the strengthening of the technical cooperation activities of the Agency, GC(45)/RES/12A on the plan for producing potable water economically using small and medium-sized nuclear reactors, GC(45)/RES/12B on the use of isotope hydrology for water resources management, GC(45)/RES/12C on servicing immediate human needs, GC(45)/RES/12D on support to the Pan African Tsetse and Trypanosomiasis Eradication Campaign of the Organization of African Unity, GC(45)/RES/12E on drought in Central America, GC(45)/RES/12F on Agency activities in the development of innovative nuclear technology, GC(45)/RES/13 on strengthening the effectiveness and improving the efficiency of the safeguards system and the application of the Model Additional Protocol, GC(45)/RES/14A on measures against illicit trafficking in nuclear materials and other radioactive materials, GC(45)/RES/14B on the physical protection of nuclear material and nuclear facilities and GC(45)/RES/18 on the application of Agency safeguards in the

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[4] GC(45)/18.
[5] See S/2000/983.
[6] See S/2000/120.
[7] See S/2001/26.
[8] See S/2001/129.
[9] See S/2001/337.
[10] See S/2001/945.
[11] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-fifth Regular Session, 17-21 September 2001* (GC(45)/RES/DEC/(2001)).
[12] International Atomic Energy Agency, INFCIRC/403.
[13] *Resolutions and Decisions of the Security Council, 1994*, document S/PRST/1994/13.
[14] Ibid., document S/PRST/1994/28.
[15] Ibid., document S/PRST/1994/64.

Middle East, adopted on 21 September 2001 by the General Conference of the Agency at its forty-fifth regular session,

Taking note further of resolution GC(45)/RES/15A on the staffing of the secretariat of the Agency, in which the General Conference called on developing and under-represented member States to encourage well-qualified candidates to apply for vacant posts in the Agency, and considering the related resolution GC(45)/RES/15B on women in the secretariat, in which the General Conference called on the Director General to make every effort to rectify the present gender imbalance,

Recalling resolution GC(43)/RES/19 on the amendment to article VI of the statute and the statement by the President of the forty-third regular session of the General Conference of the Agency with respect to article VI, adopted on 1 October 1999 by the General Conference,

Noting the statement by the President of the forty-fifth regular session of the General Conference of the Agency, that:

> "During the Conference, widespread condolences were expressed to the victims and their families as well as to the Government of the United States of America for the terrorist acts that took place on 11 September 2001 in New York, Washington, D.C., and Pennsylvania. The delegates were unequivocal in their condemnation of these terrorists acts. As called for in General Assembly resolution 56/1 and Security Council resolution 1368 (2001), the urgent need to work together to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks and to hold accountable those responsible for aiding, supporting or harbouring the perpetrators, organizers and sponsors of these acts was supported. With particular regard to the Agency's mandate, the Conference expressed its concern about the possible impact of terrorism on the security of nuclear material and other radioactive materials. In this regard, the Conference requested the Director General to review thoroughly the activities and programmes of the Agency with a view to strengthening the Agency work relevant to preventing acts of terrorism involving nuclear materials and other radioactive materials. It further urged all member States to cooperate fully with the Director General and to support the Agency's efforts in this regard",

Noting also the statement by the President of the forty-fifth regular session of the General Conference of the Agency, which was endorsed by the General Conference at its tenth plenary meeting and issued under the item concerning Israeli nuclear capabilities and threat, that:

> "The General Conference recalls the statement by the President of the thirty-sixth session in 1992 concerning the item entitled 'Israeli nuclear capabilities and threat'. That statement considered it desirable not to consider that item at the thirty-seventh session. The General Conference also recalls the statement by the President of the forty-third session, in 1999, concerning the same agenda item. At the forty-fourth and forty-fifth sessions, the item was, at the request of certain member States, included again in the agenda. The item was discussed. The President notes that certain member States intend to include the item in the provisional agenda of the forty-sixth regular session of the General Conference",

Noting with appreciation that the General Conference, in resolution GC(45)/RES/3, approved the appointment of Dr. Mohamed ElBaradei as the Director General until 30 November 2005,

1. *Takes note* of the report of the International Atomic Energy Agency;[1]

2. *Affirms its confidence* in the role of the Agency in the application of nuclear energy for peaceful purposes;

3. *Encourages* all States members of the Agency that have not yet done so to ratify the amendment to article VI of the statute of the Agency, recalling the adoption by the General Conference of the Agency of resolution GC(43)/RES/19 on the amendment to article VI of the statute and the accompanying statement by the President of the forty-third regular session of the General Conference;

4. *Also encourages* all States members of the Agency that have not yet done so to ratify the amendment of article XIV.A of the statute of the Agency, recalling the adoption by the General Conference of the Agency of resolution GC(43)/RES/8 on the amendment of article XIV.A of the statute, which will provide for biennial budgeting by the Agency;

5. Consistent with the respective safeguards undertakings of member States and bearing in mind the importance of achieving the universal application of the safeguards system of the Agency, urges all States which have yet to bring into force comprehensive safeguards agreements to do so as soon as possible, affirms that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view to detecting undeclared nuclear material and activities must be implemented rapidly and universally by all concerned States and other parties in compliance with their respective international commitments, stresses the importance of the safeguards system of the Agency, including comprehensive safeguards agreements and the Model Additional Protocol, which are among the essential elements of the system, requests all concerned States and other parties to safeguards agreements which have not yet done so, to sign additional protocols promptly, requests the States and other parties to safeguards agreements having signed additional protocols to take the necessary measures to bring them into force as soon as their national legislation allows, and recommends that the Director General, the Board of Governors and Member States continue to consider implementing the elements of the plan of action outlined in resolution GC(44)/RES/19, as appropriate and subject to available resources, with the aim of facilitating the entry into force of safeguards agreements and additional protocols and review the progress in this regard, and notes the important work being undertaken by the Agency, on an ongoing priority basis, in the conceptualization and development of integrated and cost-effective safeguards;

6. *Urges* all States to strive for effective and harmonious international cooperation in carrying out the work of the Agency, pursuant to its statute, in promoting the use of nuclear energy and the application of the necessary measures to strengthen further the safety of nuclear installations and to minimize risks to life, health and the environment, in strengthening technical assistance and cooperation for developing countries and in ensuring the effectiveness and efficiency of the safeguards system of the Agency;

7. Recalling resolution GC(45)/RES/12F on the activities of the Agency in the development of innovative nuclear technology, emphasizes the unique role that the Agency can play in developing user requirements and in addressing safeguards, safety and environmental questions for innovative reactors and their fuel cycles, within available extrabudgetary resources, and stresses the need for international collaboration in the development of innovative nuclear technology;

8. *Stresses* the need, in conformity with the statute, to continue to pursue activities of the Agency in the areas of nuclear science, technology and applications for meeting the basic sustainable development needs of member States, and also stresses the need to strengthen technical cooperation activities, including the provision of sufficient resources, and to enhance continually the effectiveness and efficiency of the programmes;

9. Recalling resolution GC(45)/RES/11 on the strengthening of the technical cooperation activities of the Agency, welcomes the measures and decisions taken by the Agency to strengthen and fund its technical cooperation activities, which should contribute to achieving sustainable development in developing countries, and calls upon States to cooperate in contributing to and in implementing the measures and decisions pursuant thereto;

10. *Reaffirms* the importance of all the measures contained in resolution GC(45)/RES/18 on the application of Agency safeguards in the Middle East, and calls on all States in the region to implement all the provisions contained therein, including the application of full scope Agency safeguards to all their nuclear activities, adherence to international non-proliferation regimes and the establishment of a nuclear-weapon-free zone in the region;

11. *Commends* the Director General and the secretariat of the Agency for their continuing, impartial efforts to implement the safeguards agreement still in force between the Agency and the Democratic People's Republic of Korea, recognizes the important role of the Agency in monitoring the freeze of nuclear facilities in the Democratic People's Republic of Korea as requested by the Security Council, notes with continuing concern that, although the Democratic People's Republic of Korea is a party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Agency continues to be unable to verify the accuracy and completeness of the initial declaration of nuclear material made by the Democratic People's Republic of Korea and is therefore unable to conclude that there has been no diversion of nuclear material in the Democratic People's Republic of Korea, expresses deep concern about the continuing non-compliance of the Democratic People's Republic of Korea with the safeguards agreement between the Agency and the Democratic People's Republic of Korea, urges again the Democratic People's Republic of Korea to comply fully with its safeguards agreement, including all steps the Agency deems necessary to preserve all information relevant to verifying the accuracy and completeness of the initial declaration of the Democratic People's Republic of Korea and encourages strongly the Democratic People's Republic of Korea to respond positively and at an early date to the detailed proposal of the Agency for the first concrete steps needed for the implementation of the generic requirements for the verification of the accuracy and completeness of the initial declaration of the Democratic People's Republic of Korea;

12. *Also commends* the Director General of the Agency and his staff for their strenuous efforts to implement Security Council resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1051 (1996) of 27 March 1996, 1060 (1996) of 12 June 1996, 1115 (1997) of 21 June 1997, 1154 (1998) of 2 March 1998, 1194 (1998) of 9 September 1998, 1205 (1998) of 5 November 1998 and 1284 (1999) of 17 December 1999 and calls upon Iraq to implement in full all relevant Security Council resolutions, including and, in this regard, to cooperate fully with the Agency and to provide the necessary access to enable the Agency to carry out its mandate;

13. *Welcomes* the entry into force on 24 October 1996 of the Convention on Nuclear Safety,[16] appeals to all States, particularly those operating, constructing, or planning nuclear power reactors, which have not yet taken the necessary steps to become parties to the Convention to do so, and looks forward to the second review meeting, due to take place in April 2002, expecting safety improvements in all areas, particularly where the first review meeting found that there was room for improvement;

14. *Notes with satisfaction* that the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management[17] entered into force on 18 June 2001, and appeals to all States which have not yet taken the necessary steps to become parties to it to do so in time to attend the first review meeting of the contracting parties;

15. Recalling resolution GC(45)/RES/10B on transport safety, urges States to ensure that their national regulatory documents governing the transport of radioactive material are in conformity with the latest edition of Agency Transport Regulations;

16. *Welcomes* the measures taken by the Agency in support of efforts to prevent illicit trafficking in nuclear materials and other radioactive materials and, in this context, decides to bear in mind, in its continued elaboration of an international convention on the suppression of acts of nuclear terrorism, those activities of the Agency, and urges all States to cooperate fully with the Director General and to support the efforts of the Agency in reviewing thoroughly the activities and programmes of the Agency with a view to strengthening the Agency work relevant to preventing acts of terrorism involving nuclear materials and other radioactive materials;

17. *Appeals* to States that have not yet done so to accede to the Convention on the Physical Protection of Nuclear Material, also appeals to States to apply relevant physical protection recommendations and introduce and enforce appropriate measures and legislation to combat illicit trafficking in nuclear materials and other radioactive materials, welcomes the endorsement of the Physical Protection Objectives and Fundamental Principles referred to in document GC(45)/INF/14 by the Board of Governors of the Agency, encourages States to apply these principles in designing, implementing and regulating their national systems for the physical protection of nuclear material and nuclear facilities used for peaceful purposes, and welcomes the decision of the Director General to convene an open-ended group of legal and technical experts in order to prepare a draft of a well-defined amendment,

[16] International Atomic Energy Agency, INFCIRC/449.
[17] International Atomic Energy Agency, INFCIRC/546.

to be subsequently reviewed by the States parties, aimed at strengthening the Convention on the Physical Protection of Nuclear Material and encouraging States to become parties to the Convention;

18. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the fifty-sixth session of the General Assembly relating to the activities of the Agency.